



# MINUTES

## HOUSE POLITICAL SUBDIVISIONS STANDING COMMITTEE

Tuesday, February 22, 2022 | 8:00 a.m. | 445 State Capitol

**Members Present:**

Rep. James A. Dunnigan, Chair  
Rep. Calvin R. Musselman, Vice Chair  
Rep. Gay Lynn Bennion  
Rep. Jefferson S. Burton  
Rep. Matthew H. Gwynn  
Rep. Ken Ivory

Rep. Michael L. Kohler  
Rep. Rosemary T. Lesser  
Rep. Jordan D. Teuscher  
Rep. Elizabeth Weight

**Staff Present:**

Sarah Flanigan, Policy Analyst  
Jonathan Rees, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Vice Chair Musselman called the meeting to order at 8:06 AM.

**MOTION:** Rep. Ivory moved to approve the minutes. The motion passed with a vote of 8 - 0 - 2.

Yeas - 8

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Ivory  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 2

Rep. J. Dunnigan  
Rep. M. Kohler

**1. H.B. 356 Athletic Coaching Standards Amendments (Teuscher, J.)**

Rep. Teuscher presented the bill with the assistance of Matt Rickards, Coach, Kearns High School, and distributed a handout.

Jim Voigt spoke in favor of the bill.

Sarah Jones, Utah Education Association, spoke to the bill.

Dwane Bordeaux spoke in favor of the bill.

Dan Del Porto spoke in favor of the bill.

**MOTION:** Rep. Gwynn moved to replace H.B. 356 with 1st Substitute H.B. 356. The motion passed with a vote of 8 - 0 - 2.

Yeas - 8

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 2

Rep. J. Dunnigan  
Rep. K. Ivory

**MOTION:** Rep. Burton moved to pass 1st Substitute H.B. 356 out favorably. The motion passed with a vote of 8 - 0 - 2.

Yeas - 8

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 2

Rep. J. Dunnigan  
Rep. K. Ivory

**2. H.B. 354 County Regulatory Amendments (*Handy, S.*)**

Rep. Handy presented the bill with the assistance of Randy Elliott, Davis County Commissioner.

Clark Aposhian, Chair, Utah Shooting Sports Council, spoke in opposition to the bill.

Dan Reid, Western Regional Director, National Rifle Association, spoke in opposition to the bill.

**MOTION:** Rep. Weight moved to amend H.B. 354 with Amendment #1. The motion passed with a vote of 9 - 0 - 1.

Amendment 1  
H.B. 0354

1. Page 2, Lines 31 through 33:  
31 (2) of the first or second class may regulate and prevent the discharge of firearms,  
32 rockets, powder, ~~{ fireworks in accordance with Section 53-7-225, }~~ or any other dangerous or  
33 combustible material.

Yeas - 9

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Ivory  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 1

Rep. J. Dunnigan

**MOTION:** Rep. Bennion moved to pass H.B. 354 out favorably. The motion failed with a vote of 3 - 6 - 1.

Yeas - 3

Rep. G. Bennion  
Rep. R. Lesser  
Rep. E. Weight

Nays - 6

Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Ivory  
Rep. M. Kohler  
Rep. C. Musselman  
Rep. J. Teuscher

Absent - 1

Rep. J. Dunnigan

**3. H.B. 388 Local Districts Amendments (*Handy, S.*)**

Rep. Handy presented the bill with the assistance of LeGrand Bitter, Executive Director, Utah Association of Special Districts.

Carlton Christensen, Chair of the Board of Trustees, Utah Transit Authority, spoke in favor of the bill.

**MOTION:** Rep. Burton moved to replace H.B. 388 with 1st Substitute H.B. 388. The motion passed with a vote of 9 - 0 - 1.

Yeas - 9

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Ivory  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 1

Rep. J. Dunnigan

**MOTION:** Rep. Gwynn moved to pass 1st Substitute H.B. 388 out favorably. The motion passed with a vote of 9 - 0 - 1.

Yeas - 9

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Ivory  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 1

Rep. J. Dunnigan

**4. 3rd Sub. S.B. 137 Property Decontamination Amendments (*Mayne, K.*)**

Rep. Collard presented the bill with the assistance of Nathan Bracken, City Attorney, Township of Kearns.

**MOTION:** Rep. Lesser moved to amend 3rd Substitute S.B. 137 with Amendment #1. The motion passed with a vote of 8 - 0 - 2.

Amendment 1  
3rd Sub. S.B. 0137

1. Page 4, Lines 101 through 108:

101 following for a violation of an order issued under Subsection (1)(c):

102 (i) a civil penalty in accordance with Subsection 10-3-703(2); or {~~—~~}

103 (ii) in accordance with Subsection 10-3-703(1), a criminal penalty, including by a fine

104 not to exceed the maximum class B misdemeanor fine under Section 76-3-301, by a term of

105 imprisonment up to six months, or by both the fine and term of imprisonment.

106 (e) An ordinance adopted in accordance with Subsection (1)(d) shall provide 180 days after the day

107 on which the written notice from an inspector is delivered in person or the date the notice is  
108 post-marked for the recipient of the notice to:

2. Page 5, Lines 138 through 141:

138 appeal the notice within 180 days after the day on which notice is delivered in person or the  
139 date the notice is post-marked; and  
140 [(iii)] (vi) require the property owner, occupant, or, if applicable, another person  
141 responsible for the property to:

Yeas - 8

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 2

Rep. J. Dunnigan  
Rep. K. Ivory

**MOTION:** Rep. Lesser moved to pass 3rd Substitute S.B. 137 out favorably. The motion passed with a vote of 9 - 0 - 1.

Yeas - 9

Rep. G. Bennion  
Rep. J. Burton  
Rep. M. Gwynn  
Rep. K. Ivory  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 1

Rep. J. Dunnigan

**5. H.B. 189 Electric Vehicle Charging Modifications (*Briscoe, J.*)**

Rep. Briscoe presented the bill.

Thomas Kessinger, Beneficial Electrification Program Manager, Utah Clean Energy, spoke in favor of the bill.

Mike Ostermiller, Utah Apartment Association, spoke to the bill.

Aldo Tavares spoke in favor of the bill.

Debra Kapiloff, Transportation Electrification Policy Analyst, Western Resource Advocates, spoke in favor of the bill.

Alex Veilleux, Policy Associate, HEAL Utah, spoke in favor of the bill.

Steven Graham spoke in favor of the bill.

**MOTION:** Rep. Burton moved to replace H.B. 189 with 2nd Substitute H.B. 189. The motion passed with a vote of 9 - 0 - 1.

Yeas - 9

Rep. G. Bennion  
Rep. J. Burton  
Rep. J. Dunnigan  
Rep. M. Gwynn  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 1

Rep. K. Ivory

**MOTION:** Rep. Teuscher moved to pass 2nd Substitute H.B. 189 out favorably. The motion passed with a vote of 7 - 2 - 1.

Yeas - 7

Rep. G. Bennion  
Rep. J. Burton  
Rep. J. Dunnigan  
Rep. M. Gwynn  
Rep. R. Lesser  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 2

Rep. M. Kohler  
Rep. C. Musselman

Absent - 1

Rep. K. Ivory

**6. 2nd Sub. S.B. 152 Community Association Regulation Amendments (*Harper, W.*)**

Sen. Harper presented the bill.

Derek Brown, Utah Communities Associations Institute, spoke in favor of the bill.

Jeff Hartley spoke in opposition to the bill.

**MOTION:** Rep. Burton moved to pass 2nd Substitute S.B. 152 out favorably. The motion passed with a vote of 7 - 2 - 1.

Yeas - 7

Rep. G. Bennion  
Rep. J. Burton  
Rep. J. Dunnigan  
Rep. M. Gwynn  
Rep. R. Lesser  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 2

Rep. M. Kohler  
Rep. C. Musselman

Absent - 1

Rep. K. Ivory

**7. H.B. 362 Taxing Entity Amendments (*Winder, M.*)**

Rep. Winder presented the bill.

**MOTION:** Rep. Teuscher moved to adjourn. The motion passed with a vote of 9 - 0 - 1.



Yeas - 9

Rep. G. Bennion  
Rep. J. Burton  
Rep. J. Dunnigan  
Rep. M. Gwynn  
Rep. M. Kohler  
Rep. R. Lesser  
Rep. C. Musselman  
Rep. J. Teuscher  
Rep. E. Weight

Nays - 0

Absent - 1

Rep. K. Ivory

Vice Chair Musselman adjourned the meeting at 9:59 AM.